

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Serial No. 10/717,250

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**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

PATENT APPLICATION

Applicant: **Evans**

Case: **CAT/008**

Serial No.: **10/717,250**

Filed: **November 19, 2003**

Examiner: **Neckel, Alexa Doroshenk**

Group Art Unit: **1764**

Confirmation No.: **7738**

Title: **MULTI-CATALYST INJECTION SYSTEM**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In response to the Notice of Allowance dated June 28, 2007, please enter this statement. Although the Applicant believes no fees are due with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782 for any fee required to make this response timely and acceptable to the Office.

REMARKS

The Examiner's statement of Reasons for Allowance include:

"The invention relates to a novel multi-catalyst injection system and method of using the multi-injection system with a FCC reactor comprising a vessel configured to deliver catalyst to an FCC unit, a separator disposed in the vessel defining at least two compartments within the vessel and a plenum defined in the vessel coupled to each compartment wherein the plenum is pressurizable and a plurality of dispense mechanisms each dispense mechanism is coupled to a respective compartment in the separator. The prior art fails to teach an applicant's pressurizable plenum coupled to each compartment, and further fails to teach and/or suggest that the separator is coupled to a bottom of the vessel and extending to an elevation short of the top of the vessel as claimed. The construction and arrangement of the multi-catalyst injection system comprising a vessel having at least two compartments which stores catalyst which is coupled to a respective dispense mechanism permits independent control of flow of the catalyst from each compartment of the injection system which has not been taught or fairly suggested either singularly or in combination by the prior art."

Applicant objects to the Examiner's statement of Reasons for Allowance as follows. Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." 37 C.F.R. §104e. In the present case, Applicant believes the record as a whole does make the reasons for allowance clear and therefore no statement by the examiner is necessary or warranted. Furthermore, the Applicant does not necessarily agree with each statement in the reasons for allowance.

Furthermore, an interpretation has been imported into the claim in relation to the prior art that is imprecise, inaccurate, and places an unwarranted interpretation upon the claim such as "...further fails to teach and/or suggest that the separator is coupled to a bottom of the vessel and extending to an elevation short of the top of the vessel as claimed" and "multi-injection system with a FCC reactor" when the claims do not specify FCC reactor. Such a characterization of the claims in view of the prior art does not properly take into account the Applicant's claimed invention as reflected in the specification and the Applicant's responses to the Examiner's office actions.

Furthermore, Applicant believes that the Statements of Reasons for Allowance in this case is improper as it merely copies each limitation of the claim and limitations that are not even

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in the claims into the reasons for allowance. While applicant believes that the claims are allowable, Applicant does not acquiesce that patentability resides in each feature, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

8/1/07



Keith P. TABOADA
Attorney Reg. No. 45,150
(732) 530-9404

Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Suite 100
Shrewsbury, NJ 07702

7/31/07



Tanzina Chowdhury
Attorney Reg. No. 46,624
Interat, Inc.
Manasquan, NJ 08736
(732) 292-5042